

## **Minutes of the Special and Regular Meetings of March 28, 2006**

### **SPECIAL MEETINGS**

#### **STUDY SESSION - 6:00 P.M.**

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Dickenson, Warden, Mathewson

COUNCILMEMBERS ABSENT: None

Staff Present: City Clerk Cook

#### **Interview candidate for the Finance Commission (continued from March 22)**

**Sue Korn** (Finance Commission/Incumbent), stated that since joining the Commission her professional role has changed, and is now more technically-based. She noted there have been budget issues in the past, and there are still opportunities for improvement, although the City is in better shape now. She would like to continue serving on the Commission despite the recent change in the appointment process. She recommends a conservative investment policy, and noted there are a number of factors to consider. Belmont could take a little more risk. The Local Agency Investment Fund (LAIF) is easy. This is an issue worth discussing further. She commented that many issues brought to the Commission appear to have already been decided, and there is not always an opportunity for the Commission to discuss them. The Commission has engaged in brainstorming in the past, and she would like to do more. She would also like the Commission to provide the City Council with more input on issues, and she would like information from the Council as to what that input could or should be. She described her participation in the recent Fire subcommittee. Seasonal budget reporting makes it difficult to provide early identification of problem areas or anomalies. A strong reserve is important, and it should be reviewed periodically. She noted that Belmont's reserve is appropriate and served us well during difficult budget times. A good reason is needed to dip into reserves, and it should be replenished. She pays careful attention to, and requests clarification of, budget variances.

Discussion ensued regarding various ways to improve communications between the Finance Commission and the City Council, and expectations.

Councilmember Dickenson stated that regular dialog should be taking place between the Council and the Commission, and better information could be forwarded to the Finance Commission.

Councilmember Warden stated that the relationship between the two groups has been dysfunctional, but the recent changes in the appointment process may help. He sees the Commission as a review committee, and it needs to be challenged. He likes the more formal interview process as it provides for more dialogue, and it conveys a higher level of responsibility.

#### **CLOSED SESSION - 6:30 P.M.**

- A. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section No. 54957.6: BPOA

Attended by Councilmembers Feierbach, Warden, Dickenson, Lieberman, Mathewson, Interim City Manager Crist, City Attorney Zafferano, Interim Human Resources Director Sam, Police Chief Mattei, Fran Buchanan (Negotiator). City Clerk Cook was excused from attending.

**ADJOURNMENT** at this time, being 7:20 P.M., these special meetings were adjourned.

Terri Cook

City Clerk

Study Session audio recorded, but not videotaped. Closed Session not tape recorded or videotaped.

## **REGULAR MEETING**

### **CALL TO ORDER 7:35 P.M.**

#### **ROLL CALL**

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Dickenson, Warden, Mathewson

COUNCILMEMBERS ABSENT: None

Staff Present: Interim City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Public Works Director Davis, Police Chief Mattei, Interim Parks and Recreation Director Bridges, Finance Director Fil, City Clerk Cook.

#### **REPORT FROM CLOSED SESSIONS** (held earlier in the evening, and March 17 and March 24, 2006)

Mayor Mathewson stated that no action had been taken at the Closed Sessions noted above.

## **PLEDGE OF ALLEGIANCE**

Led by City Clerk Cook.

## **SPECIAL PRESENTATIONS**

### **Swearing In/Oath of Office for newly-named Police Lieutenant Daniel DeSmidt**

Police Chief Mattei reviewed Sergeant DeSmidt's career with the Belmont Police Department. He noted that there were 100 letters of thanks and 10 commendations in his personnel file.

City Clerk Cook administered the Oath of Office to Lieutenant DeSmidt.

Lieutenant DeSmidt introduced his family. He stated it was an honor to serve the community where he grew up. He looks forward to the new challenges of this new position.

### **Presentation of Police Department Annual Awards**

Police Chief Mattei announced the following award recipients: Mike Speak, Officer of the Year; David Asher, Employee of the Year; Scott Fegley, Lions Club Award Winner; Sabrina Chicas, Dispatcher of the Year; Jacklyn Popiul, Volunteer of the Year. He outlined the various accomplishments of each.

**Hanna Hagler**, Belmont youth resident, commented about how Officer Speak helped her and her family through a long-standing investigation. She designated him as her very best hero in a recent school project on heroes.

**RECESS:                8:00 P.M.**

**RECONVENE:        8:07 P.M.**

**Presentation by Ronan Kermer, Intern "Ambassador" from Namur, Belgium(Belmont's Sister City)**

City Clerk Cook outlined the schedule for the upcoming visit of students from the Notre Dame High School in Namur, Belgium. She stated there would be an unveiling of a plaque commemorating the Sister City relationship between Belmont and Namur. She introduced Ronan Kermer, who is on a three-month stay from Namur, Belgium.

**Ronan Kermer**, Namur, Belgium, stated that a requirement of University seniors in Belgium was to perform an internship in their chosen field and in a foreign language. He chose to come to Namur's Sister City of Belmont to accomplish both. He has been working with a variety of staff at Notre Dame de Namur University. He described his thesis, and stated he would like to use his marketing skills (his major) to encourage university student exchange between the two communities. He reviewed the various speaking engagements and outreach he has performed in this endeavor.

#### **PUBLIC COMMENTS AND ANNOUNCEMENTS**

**Mark Way**, South County Firefighter, thanked outgoing Interim City Manager Crist for his efforts with South County, and presented him with a hat and jacket.

Interim City Manager Crist stated it had been a good year serving in Belmont, much was accomplished, Belmont has a fine staff, and 2006 will continue to be a good year.

Councilmember Warden stated that Mr. Crist is honest, straight-forward, honorable, and has integrity.

Councilmember Feierbach stated that Mr. Crist was understanding and open-minded, and that he restored her faith in city managers.

Councilmember Lieberman thanked Mr. Crist for his assistance during his orientation as a new councilmember.

Councilmember Dickenson stated that Mr. Crist has integrity, and brought a wealth of knowledge to Belmont.

Mayor Mathewson expressed hopes that Mr. Crist would still be available to consult via phone.

**Jerry Chapman**, Belmont resident, expressed concerns regarding the restrictions on the type of truck that can be used for hauling on several upcoming projects on San Juan Boulevard and Monte Cresta Road. He noted the existing regulations would result in approximately 150 loads, and using a larger truck would result in fewer truck trips.

Community Development Director de Melo stated that the hauling permits for these projects would be evaluated on a case-by-case basis.

### **AGENDA AMENDMENTS**

Mayor Mathewson expressed the need to add an item to the consent agenda to approve the appointment of a new Interim City Manager. He noted this issue arose following the posting of the agenda, and making an appointment now would alleviate any gap of service, since outgoing Interim City Manager Crist's last day is imminent.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Dickenson, Item 4-I (Resolution Appointing Maureen Cassingham as Interim City Manager) was unanimously added to the Consent Agenda by a show of hands as an urgency item.

City Clerk Cook announced that Item 4-G (Resolution Approving a Professional Services Agreement with Cotton, Shires & Associates, Inc. to Provide Engineering Design Services for an Amount not to Exceed \$35,000 for the East Laurel Creek Slope Stabilization Project) was requested to be removed from the Consent Agenda by a member of the public for separate consideration.

Councilmember Dickenson requested the removal of Item 4-H (Resolution Amending the Fiscal Year 2006 Budget and Approving a Revision to Revenue and Supplemental Appropriation for Midyear Review) for separate consideration.

### **CONSENT CALENDAR**

**Acceptance of** Written Communication: 1) Received March 13, 2006, Notice of Public Participation Hearings re Phase II PG&E's 2007 General Rate Case

**Acceptance of** Police Department/City Hall Project - March Monthly Update

**Acceptance of** Belmont Library/Belameda Park Project - March Monthly Update

**Acceptance of** Closing Report on Sale of Belmont Sewer Revenue Bonds, Series 2006

Motion Adopting FY 2007 Budget Calendar

**Approval of** Resolution 9762 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$216,931, Approving a Construction Contingency not to Exceed \$21,693, and Authorizing the City Manager to Execute a Contract for 27-inch Dairy Lane Sanitary Sewer Line Rehabilitation Project, City Contract Number 474

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Warden, the Consent Agenda was unanimously approved, as amended, by a show of hands.

**ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION**

**Resolution Approving a Professional Services Agreement with Cotton, Shires & Associates, Inc. to Provide Engineering Design Services for an Amount not to Exceed \$35,000 for the East Laurel Creek Slope Stabilization Project, City Contract Number 475**

**Warren Gibson**, Belmont resident, stated he is a licensed civil engineer. The problem with the slope is a result of scouring action by the creek, not excessive rainwater. He has been documenting this problem for over a year and had predicted the wall would collapse if no action was taken. A simple repair prior to recent storms would have saved the wall. He expressed concern regarding potential south and east wall failure and the affect this would have on his adjacent home. The culvert support has been washed away. There are a number of options available for repair. He noted the environmental laws which govern any work in this area. He thanked Councilmember Feierbach for her intervention in this issue.

**Merilee Gibson**, Belmont resident, expressed concern regarding driveway access during any repair of the culvert. She needs to access her car from the garage due to physical limitations.

Public Works Director Davis responded that East Laurel Creek is considered a State waterway and is subject to State regulations. The City attempted to expedite a repair in 2004, but the project was rejected by the State. The New Year's storms made this an emergency action, although it is still subject to the California Environmental Quality Act criteria. A design for repair is necessary. He is willing to include Mr. Gibson in those plans. He commented that the Gibsons may have limited access during construction, but recognized their unique needs, and noted that every effort will be made to accommodate them.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, Resolution 9673 Approving a Professional Services Agreement with Cotton, Shires & Associates, Inc. to Provide Engineering Design Services for an Amount not to Exceed \$35,000 for the East Laurel Creek Slope Stabilization Project, City Contract Number 475, said motion to include a provision for diverting traffic to several streets to alleviate the traffic impact on one street, was unanimously approved by a show of hands.

**Resolution Amending the Fiscal Year 2006 Budget and Approving a Revision to Revenue and Supplemental Appropriation for Midyear Review**

Councilmember Dickenson stated he had requested consideration for an additional Community Services Officer (CSO), and an opportunity to review a police organizational chart, and thought this would be included as part of the mid-year Budget review.

Mayor Mathewson noted that this issue would be addressed during the 2007 Budget, and was scheduled for discussion at the April 11<sup>th</sup> Council meeting. He also noted that this issue may affect more than just the CSO position.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Warden, Resolution 9764 Amending the Fiscal Year 2006 Budget and Approving a Revision to Revenue and Supplemental Appropriation for Midyear Review was unanimously approved by a show of hands.

**ITEM ADDED TO CONSENT CALENDAR**

**Resolution Authorizing Employment Agreement with Maureen L. Cassingham as Interim City Manager**

Mayor Mathewson stated this item would approve the appointment of Ms. Cassingham, and the final agreement will subsequently be executed.

**ACTION:** On a motion by Mayor Mathewson, seconded by Councilmember Warden, Resolution 9765 Authorizing Employment Agreement with Maureen L. Cassingham as Interim City Manager was unanimously approved by a show of hands.

Mayor Mathewson introduced newly-appointed Interim City Manager Cassingham, who was sitting in the audience.

### **OLD BUSINESS**

#### **Discussion and Direction for the Restriping of Alameda de las Pulgas and Installation of 45 Degree Diagonal On-Street Parking in the Area of Carlmont High School**

Public Works Director Davis reviewed the various parking options explored to create additional parking for Carlmont High School, and he reviewed the final plan being recommended. He noted that the school has recently re-established 50 on-site parking spaces that had been unavailable due to construction. A total of 77 new spaces would be available with the new street configuration and the on-site spaces, which will reduce the impact in the neighborhood. Total cost would be approximately \$25,000, and the project would be completed before September.

In response to Council questions, Public Works Director Davis stated he had not been contacted by the Carlmont staff to review on-site parking options. The 12-foot wide driving lane on Alameda de las Pulgas will be adequate for bus traffic. He commented that this should be a positive change for the neighborhood and will help control speed in the area.

Councilmember Feierbach stated this plan will provide relief for the surrounding neighborhood.

Council concurred to implement the re-striping plan as presented.

### **NEW BUSINESS**

#### **Presentation on the Parks for the Future initiative and a recommendation for a resolution endorsing the Parks for the Future concept and the placing of the measure on a future ballot**

**Julia Bott**, San Mateo County Parks and Recreation Foundation, described the process, recommendation and timeline for a proposed sales tax increase for parks and park improvements. She noted that funding cuts and park closures have occurred throughout the region over the past several years. The proposed sales tax, which requires a two-thirds majority vote, could be used for operations. She noted there is support for the tax versus other funding mechanisms such as a parcel tax. She reviewed the funding allocation for the County of San Mateo and all the cities therein. The goal is to place this on the ballot in November, although the date is subject to change. The issue has been addressed through focus groups and by polling. She reviewed the items to be addressed.

In response to Mayor Mathewson, Ms. Bott confirmed that this concept has been approved by the Mid-Peninsula Regional Open Space Trust, and Belmont is the first city to consider approval.

Interim Parks and Recreation Director Bridges noted that the Parks and Recreation Commission recommended supporting the ballot measure. He clarified that Council action is not required to place this matter on the ballot.

**Jonathan Gervais**, Parks and Recreation Commissioner, stated that this concept represents good public policy, and is a quality of life issue that affects property values. The potential tax revenue will provide an opportunity to offer new programs and improve the aesthetics of Belmont parks. He noted the measure has challenges, but he recommended support for the concept.

In response to Councilmember Warden, Ms. Bott outlined the recommended revenue allocation formula, should it be successful. She clarified this would be a 20-year tax.

Interim Parks and Recreation Director Bridges stated that if passed, the revenue from the new tax would be significant for Belmont.

**ACTION**: On a motion by Councilmember Warden, seconded by Councilmember Lieberman, Resolution 9766 Endorsing the Parks for the Future Concept and the Placing of the Measure on a Future Ballot was unanimously approved by a show of hands.

## **Overview of Solid Waste Services and Sewer, Storm Drain, and Pavement Infrastructure**

Public Works Director Davis reviewed the solid waste management and infrastructure program. He described the management of the treatment plant and recycling as provided by the South Bayside Waste Management Authority (SBWMA), of which Belmont is a member. Belmont owns its own infrastructure, which is slowly aging and needs rehabilitation. He noted that the Public Works Department recommends establishing a new budget service center to address this issue.

Public Works Director Davis outlined the various topics that would be reviewed at future Council meetings, including street sweeping, storm drain improvement, sewer rates, National Pollution Discharge Elimination System (NPDES) and other State and federal mandates, infiltration and inflow issues, pavement management, reconstruction and maintenance, slope stabilization, and street light standards.

Public Works Director Davis recommends forming an Infrastructure and Service subcommittee to work with staff regarding all of these issues, to be modeled after the existing Economic Development Subcommittee.

Council concurred to establish the subcommittee as recommended.

Mayor Mathewson stated this is a topic about which he has recently been speaking, and as the alternate to SBWMA, he has been attending their meetings. He expressed interest in serving on the subcommittee.

Councilmember Feierbach expressed interest in serving as well.

Discussion ensued regarding funding sources for street improvements.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Dickenson, and unanimously approved by a show of hands to appoint Mayor Mathewson and Councilmember Feierbach as members of the Infrastructure Subcommittee.

**COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS**

**Appointments to Finance Commission**

City Clerk Cook outlined the open seats and the vacancy on the Finance Commission available for appointment. She noted that Council interviewed four candidates. She recommended selecting candidates by ballot, then determining which candidates to appoint to which vacancy.

City Clerk distributed ballots and tallying was performed. Three candidates received at least three votes: Korn (5 votes), Callagy, (4 votes), and Dompier (3 votes).

Councilmember Warden recommended that the two top vote-getters (Korn/Callagy) be appointed to the three-year terms, and to appoint Ms. Dompier to the vacant position.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Lieberman, Resolution 9767 appointing Sue Korn and Lynnel Callagy to three-year terms on the Finance Commission was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Lieberman, Resolution 9768 appointing Marcie Dompier to two-year vacant seat on the Finance Commission was unanimously approved by a show of hands.

**Consideration of Resolution in Support of Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act Of 2006**

Councilmember Warden stated that this library bond was similar to Proposition 14 passed by the voters a few years earlier. It provides for monies for new library construction. He noted that the City of Half Moon Bay has already qualified for funding under Proposition 14, and Portola Valley's library could benefit from the new bond. The San Mateo County Library Joint Powers Authority has requested support from its member cities, including Belmont, for this proposition.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Dickenson, Resolution 9769 In Support of Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act Of 2006 was unanimously approved by a show of hands.

### **Discussion and Direction regarding revisions to Council Protocols**

City Clerk Cook stated that the Council Protocols is a document which provides guidelines for how the City Council manages its meetings as well as administrative issues. She reviewed the draft template proposed for use by the City Councilmembers for its Item 9's.

Discussion ensued regarding a potential change to the start time for meetings, and Council concurred to leave it as is at 7:30 p.m.

Council concurred to incorporate the Item 9 Template into the Protocols.

Discussion ensued regarding the language addressing Council email. City Attorney Zafferano recommended deferring this until the new email server issue is completed.

City Clerk Cook noted that new language was inserted to incorporate AB1234 regulations concerning reimbursements and compensation. The appointment process for the Finance Commission has been modified as well.

Councilmember Warden stated that he created personal stationery utilizing the City logo, which he occasionally uses for correspondence to outline his individual position on issues. Copies of any correspondence using this stationery are provided to the City Clerk's office for the file. Council concurred to add language to provide for the use of such stationery.

Discussion ensued regarding the inclusion of time on agenda items.

Councilmember Feierbach requested that audio and videotapes of Council meetings be kept indefinitely. City Clerk Cook noted that DVD's were now being produced in addition to VHS tape. The quality of the CD audio recordings is good. In response to Councilmember Lieberman, she clarified that requests for copies of audio/video from the archives older than six months is rare. She also noted that streaming video may be implemented in the near future, which will capture meetings in electronic format and would be archived electronically. Mayor Mathewson commented that legislative history and intent are

important. Councilmember Warden stated that old videotapes could be converted to another format. Discussion ensued regarding storage needs and changes in technology.

City Attorney Zafferano clarified that the existing Retention policy for these documents is in compliance with State regulations, and noted that there is no legal issue with retaining documents longer than required, for historic purposes. He commented that the need to keep the recordings likely diminishes over time.

Council concurred to table this issue at this time.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Feierbach, and unanimously approved by a show of hands to incorporate the changes as outlined, and to agendize the revised document for formal approval by resolution at a subsequent meeting.

#### **Discussion and Direction regarding Caltrans Ralston/101 Interchange Landscape Plan**

Community Development Director de Melo stated that the City's arborist made a cursory review of the Ralston/101 Interchange Landscape Plans. Any desired changes to that plan warrant further policy review by the City Council.

In response to Councilmember Feierbach, Community Development Director de Melo clarified that costs for an in-depth review by the arborist for potential modification would be approximately \$7500. Should the City desire to make changes, it would need to take the project on for itself, and the arborist would be needed for ongoing consultation, for an additional cost of \$8500. Redevelopment monies could be used.

Public Works Director Davis clarified that no staff time is included in any of the estimates given, and Caltrans would need to approve any changes desired by the City of Belmont. He noted that there may be maintenance issues with the current landscape plan. He confirmed that the City of Redwood City is amenable to any changes desired by Belmont.

Councilmember Feierbach stated that highway interchanges are very sterile, and she supports moving forward with an arborist's review for recommended changes that may improve the aesthetics.

Councilmember Warden expressed support for the additional review by the arborist.

Councilmember Dickenson expressed desire to remove vegetation and retain trees in the area designated for the future bike bridge.

Public Works Director Davis responded that there is support by the adjacent neighborhood to remove this vegetation. He clarified this area is not covered under the current landscape plan which is ready to go out to bid, but could be accomplished by a future change order. He commented that it is Council's decision whether or not to move forward with this additional review.

Community Development Director de Melo noted that this is a major gateway into the City of Belmont.

In response to Councilmember Lieberman, Councilmember Dickenson noted that landscape issues at the train station could be addressed as part of the Grand Boulevard plan, which is separate from this issue.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, and unanimously approved by a show of hands to approve an amount not to exceed \$8500 for the arborist's review of the landscape plan, and to commence the grubbing of the east and west side of Ralston Avenue at Highway 101.

Councilmember Dickenson noted for the record that a representative from the City of Redwood City was present in the audience and was aware that the City of Belmont would be reviewing this plan.

**ADJOURNMENT** at this time, being 9:55 P.M.

Terri Cook

**Belmont City Clerk**

Meeting Tape Recorded and Videotaped

Audio Recording 633

Minutes approved 5/23/2006